

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 26th DAY OF OCTOBER 2009 AT 5:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Annette S. Perkins	-Chair
	James D. Politis	-Vice Chair
	Mary W. Biggs	-Supervisors
	William H. Brown	
	Gary D. Creed	
	Doug Marrs	
	John A. Muffo	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Angie Hill	-Financial & Management Services Director
	Marc Magruder	-Budget Manager
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING – 5:30 p.m.

On a motion by William H. Brown, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- | | | |
|------------------|-----|---|
| Section 2.2-3711 | (5) | Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community. |
| | | 1. Project # 2009016 |
| | | 2. Project # 2009020 |
| | | 3. Project # 2009027 |
| | | 4. Project # 2009030 |
| | | 5. Project # 2009033 |

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Annette S. Perkins	

OUT OF CLOSED MEETING

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
James D. Politis	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Gary D. Creed	
Annette S. Perkins	

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

James D. Politis
Mary W. Biggs
Doug Marrs
John A. Muffo
Gary D. Creed
William H. Brown
Annette S. Perkins

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

INTO WORK SESSION – 6:00 p.m.

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

- 1. FY 10 State Funding Cuts and the Impact on the FY 11 Budget.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
John A. Muffo	
Gary D. Creed	
William H. Brown	
James D. Politis	
Annette S. Perkins	

FY 10 State Funding Cuts and the Impact on the FY 11 Budget

Assistant County Administrator Carol Edmonds made a presentation on the current state budget cuts to the Constitutional Officers and the impact on the current budget and FY 11 budget. Ms. Edmonds reported that the projected county revenue shortfall in FY 10 is estimated at \$1,421,017, primarily due to lower sales tax and personal property tax value loss. The total state reductions to the constitutional officers in FY 10 total \$648,045 to date. This reduction combined with the County’s revenue shortfall totals \$2.0 million.

To date, the County has covered a total of \$223,850 in budget reductions for the Constitutional Officers. An additional \$424,195 is needed in FY 10 to cover the additional cuts. The Board can opt to cover the entire cost of the state cuts, share them with the constitutional officers or choose not to cover these additional costs. A chart outlining possible means to cover the additional \$424,195 is listed below:

- Capture Commissioner of Revenue Vacant Position	\$36,217
- Capture Commonwealth’s Attorney Vacant Part-time Position	\$18,252
- Freeze Dispatcher vacancy	\$31,599
- Freeze Deputy vacancy	\$37,275
- Use ADP Reserve	\$7,500
- Use Bullet Proof Vest Grant	\$9,996
- Courthouse Maintenance Revenue	\$26,451
- Courthouse Security Fees	\$14,609
- Jail Revenue	\$81,345
- Use Rainy Day Fund	<u>\$131,480</u>
Total	\$424,195

Ms. Edmonds commented that the State tax revenues are not expected to increase significantly and further reductions in state aid are expected to public education, constitutional officers, and the CSA. She believes that if the current trends continue the State will stop providing state aid support to the Constitutional Officers, leaving localities to fund these offices. A chart showing the comparison of state funding levels from FY 2008 to FY 2010 is shown below:

Constitutional Officer Comparison - Before and After Cuts

	FY 08	FY 10
Sheriff Compensation Board Expense Budget	\$ 6,984,271	\$ 6,743,006
Sheriff County Expense Budget	\$ 1,809,441	\$ 3,524,540
Total Expenditure Budget	\$ 8,793,712	\$ 10,267,546
State Compensation Board Funding	\$ 5,074,745	\$ 3,924,101
Percent of Funding from State	58%	38%

	FY 08	FY 10
Commonwealth Atty Comp Board Expense Budget	\$ 854,197	\$ 925,372
Total Expenditure Budget	\$ 854,197	\$ 925,372
State Compensation Board Funding	\$ 622,398	\$ 577,777
Percent of Funding from State	73%	62%

	FY 08	FY 10
Clerk of Court Comp Board Expense Budget	\$ 738,553	\$ 618,379
Total Expenditure Budget	\$ 738,553	\$ 618,379
State Compensation Board Funding	\$ 504,546	\$ 348,960
Percent of Funding from State	68%	56%

	FY 08	FY 10
Treasurer Compensation Board Expense Budget	\$ 541,605	\$ 582,069
Collections County Expense Budget	\$ 472,802	\$ 444,254
Total Expenditure Budget	\$ 1,014,407	\$ 1,026,323
State Compensation Board Funding	\$ 223,829	\$ 194,545
Percent of Funding from State	22%	19%

	FY 08	FY 10
Commissioner Compensation Board Expense Budget	\$ 577,903	\$ 644,948
Assessments County Expense Budget	\$ 414,096	\$ 487,341
Total Expenditure Budget	\$ 991,999	\$ 1,132,289
State Compensation Board Funding	\$ 219,797	\$ 198,234
Percent of Funding from State	22%	18%

Ms. Edmonds reported a resolution to address state funding reduction in the Constitutional offices based on the outlined plan will be included on the next agenda for consideration. A budget work session is also scheduled for November 16, 2009 to further discuss the revenue outlook and the impact on the FY 11 budget development.

OUT OF WORK SESSION

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
John A. Muffo	
Gary D. Creed	
William H. Brown	
James D. Politis	
Mary W. Biggs	
Annette S. Perkins	

INVOCATION

A moment of silence was lead by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

New River Valley Benefits Consortium – Joint Powers Agreement
An Ordinance Amending the July 1, 2002 New River Valley Benefits Consortium Joint Powers Agreement by specifying certain duties of the officers of the Consortium and by amending the voting rights for the Consortium members with five hundred employees or more.

The County Attorney summarized the changes to the Joint Powers Agreement.

There being no speakers, the public hearing was closed.

Proposed Ordinance to Amend Chapter 2, Section 2-107, Entitled Tax Exemption and Deferrals for the Elderly and Handicapped.
An Ordinance Amending Chapter 2, Division 5 Entitled Tax Exemptions and Deferrals for Elderly and Handicapped, Section 2-107 of the Code of the County of Montgomery, Virginia by Increasing the Income Eligibility Limits for Exemption from or Deferral of Taxation of Real Estate for the Elderly and Disabled.

The Assistant County Administrator presented the proposed changes to the Tax Exemptions and Deferrals for Elderly and Handicapped Ordinance. A chart outlining the proposed changes is as follows:

<i>Annual Income (Calendar Year)</i>	<i>For Qualified Persons the Percentage of Tax Which May Be Exempted</i>
\$ 0.00- \$22,400 <u>\$25,600</u>	100%
\$22,401—\$28,000 <u>25,601-32,000</u>	60%
\$28,001—\$35,000 <u>32,001-40,000</u>	40%

The Chair opened the public hearing for comments.

There being no speakers, the public hearing was closed.

Proposed Ordinance Amending Chapter 3, Entitled Animals,
An Ordinance Amending Chapter 3, Entitled Animals, Sections 3-6, 3-7, 3-9, 3-28.2, 3-32, 3-33, 3-41, 3-42, 3-50, 3-51, 3-53 And 3-55 of the Code of the County of Montgomery Virginia, in Order to Comply with Changes in State Enabling Legislation.

The County Attorney summarized the proposed changes. He explained that the State recently recodified the State Code and the County needs to bring the County Code into compliance. Most changes are minor, with one exception, that being “ if the Court, upon finding an animal to be dangerous or vicious, etc., may order the owner/custodian to pay restitution for actual damages to any person injured by the animal or whose companion animal was injured or killed by the animal.”

The Chair opened the public hearing for comments.

There being no speakers, the public hearing was closed.

Rezoning Request – Henry & Sarah Ann Brabham and Brabham Enterprises, LLC –

A request by Henry & Sarah Ann Brabham and Brabham Enterprises, LLC (Agent: Gay and Neel, Inc.) to rezone approximately 6.832 acres from Agriculture (A-1) to General Business (GB) to allow hotel and restaurant uses. The property is located on the northeast corner of the intersection of North Fork Road (Rt. 603) and Interstate 81, Exit 128.

At their October 14, 2009 meeting, the Planning Commission tabled this request due to concerns about the road realignment, concept plan, and lack of proffered conditions. They requested the agent work with the Planning staff to resolve these issues. **Therefore, the Board of Supervisors will continue this request to their November 23, 2009 meeting.**

There were no speakers in attendance to address the Board.

Rezoning Request – Richard J. Obiso, Jr. and Eclipse Winery, LLC

A request by Richard J. Obiso, Jr. and Eclipse Winery, LLC (Agent: Richard & Melissa Obiso) to rezone approximately 9.52 acres from Rural Residential (RR) to Agriculture (A-1), with possible proffered conditions, to allow farm winery/farm enterprise uses. The property is located at 4025 Childress Road (Rt. 693), identified as Tax Parcel No(s). 127-A 24C (Acct Nos. 120176), in the Riner Magisterial District. The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre.

The Planning Director summarized the rezoning request. The applicant's goal is to rezone the property from Rural Residential to Agriculture (A-1) to pursue a farm enterprise and farm winery. Farm Enterprises are a use permitted by-right in Agriculture zoning. The proposed zoning is consistent with the Comprehensive Plan as the land was originally zoned as Agriculture in 2007. The previous owner had the land rezoned to Rural Residential for the purpose of creating a small subdivision consisting of 5 lots. The current owner wishes to rezone the property back to Agriculture to be more compatible with the surrounding area.

At their October 14, 2009 meeting, the Planning Commission recommended approval of the request with proffered conditions.

Dr. Richard Obsio, agent, spoke on behalf of the applicant. Eclipse Winery, LLC plans to use the property at 4025 Childress Road for Viticulture and the operation of a farm winery. They plan to maintain the working agricultural-based farm and keep with the existing aesthetics of the land and surrounding area. Dr. Obsio outlined the site plan for the winery. They are proposing a wine barn and a tasting room. Currently, they have approximately 500 grape and blackberry vines in their second year growth on the adjoining property. Plans are to have an additional 1,500 vines the first year and 5,000 vines the second year, with a total of 10,000 vines when finished.

Mr. Obsio also explained they are proposing a bio-retention space on the property to help control stormwater runoff. Plans have been submitted to the County Engineer.

The Chair opened the public hearing for comments.

There being no speakers, the public hearing was closed.

Comprehensive Plan Map Amendment – Peppers Ferry Townhomes, LLC

A Request by Peppers Ferry Townhomes, LLC (Agent: Roberts Engineering) for a Comprehensive Plan map amendment to change the policy map designation of approximately twenty-four (24) acres immediately adjacent to Route 114 from Rural to Village Medium Density Residential in the Belview Village for a parcel located at 2626 Peppers Ferry Road also identified as Tax Parcel No. 65-A 15 (Account No. 017076), in the Riner Magisterial District. (Formally the Chie Mey Lo Sing request).

The Planning Director summarized this request. The owner, Chie-Mey Lo Shing submitted a request for a comprehensive plan map amendment to change the policy map designation of approximately seven additional acres immediately adjacent to Route 114 from Rural to Village Medium Density Residential in the Belview Village. The Planning Commission, after discussion at their September 2009 meeting, decided that the entire 24 acre tract should be considered for addition to the Belview Village. The Board of Supervisors in 2007 approved Ms. Lo Shing's request for 5 acres of this parcel for comprehensive plan map amendment to change the policy map designation.

The applicant has a potential developer who is proposing to develop low-income one-story apartment type housing for the elderly. This request is to change the policy map designation only. A rezoning request for the development will have to be submitted and reviewed by the Planning Commission and Board of Supervisors. The only issue to the possible future rezoning request that still needs to be worked out is the current posted speed limit through the Belview Village. This affects the site-distance requirements for a new entrance. The current speed is 55 mph except at the Belview Elementary School where the school zone is 25 mph. For a posted speed limit of 55 mph, VDOT requires a 550 feet of sight distance. The existing entrance and proposed entrance falls short of the required sight distance; therefore, an entrance permit cannot be obtained. Staff is working with VDOT to get the speed limit reduced to 35 mph. VDOT stated they will be willing to reduce the speed when the development is completed; however, the rezoning will not be approved until the speed limit is reduced.

At their October 14, 2009 meeting, the Planning Commission recommended approval to change the policy map designation of approximately 19 acres of the 24 acre parcel from Rural to Village Medium Density Residential. The designation would stop at the railroad tracks which is located near the back of the property. This recommendation would leave a 2.7 acre portion of the lot on the north side of the railroad tracks outside the Village of Belview. The railroad tracks run through the northern end of the property dividing it.

Tom Roberts, agent, spoke on behalf of the property owner. Mr. Roberts reported that the applicant agrees with the Planning Commission's recommendations. He explained that they would still have to come back before the Board of Supervisors with a rezoning request for the proposed development. He also stated that they have spoken to numerous residents in the Village of Belview who are in support of a speed limit reduction in the Village.

The Chair opened the public hearing for comments.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Steve Phoenix addressed the Board with concerns related to Mt. Pleasant Road (SR 639). Mr. Phoenix is baffled as to why VDOT is upgrading Mt. Pleasant Road on the Alleghany Springs Road side when it will only benefit approximately five homes. He believes the Christiansburg side of Mt. Pleasant Road is more dangerous with 40 ft drop offs on a 12ft wide narrow road. Mr. Phoenix stated he was told the upgrade will stop at the bridge and asked if the remainder of the road could be surfaced treated.

Supervisor Creed agreed with Mr. Phoenix that the Christiansburg side of Mt. Pleasant Road is the most dangerous. VDOT has estimated that it would cost \$7-8 million to fix this portion. Supervisor Creed stated the upper end is extremely dangerous and it is not a good situation.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated October 26, 2009 was approved.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Annette S. Perkins	

A-FY-10-49
COMMONWEALTH'S ATTORNEY
FORFEITED ASSET SHARING PROGRAM

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

200	Commonwealth's Attorney	\$2,774
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419104	Confiscations	\$2,774

Said resolution appropriates monies received as part of the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

A-FY-10-50
SHERIFF
RECOVERED COSTS

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

320	Sheriff County	\$2,214
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$2,214

Said resolution appropriates recovered costs for use by the Sheriff's department.

A-FY-10-51
ECONOMIC DEVELOPMENT
TRANSFER FROM COUNTY CAPITAL PROJECTS FUND
FALLING BRANCH CORPORATE PARK PROJECT

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

<u>FROM:</u>		
12	810	Future Capital Projects
		(\$8,325)

<u>TO:</u>		
12	128101FB	Falling Branch Corporate Park Project
		\$8,325

Said resolution transfers funding within the County Capital Projects Fund for project management of the Falling Branch Corporate Park project.

A-FY-10-52
EMERGENCY SERVICES COORDINATOR
BURN BUILDING GRANT

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

111	Emergency Services Coordinator Grants	\$430,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
02111-424401	State Grants	\$430,000

Said resolution appropriates a state grant received to cover the cost of the construction of a burn building to be used for fire and rescue training.

R-FY-10-70
A RESOLUTION APPROVING THE BOUNDARY LINE ADJUSTMENT
OF THE COUNTY COURTHOUSE PROPERTY IDENTIFIED AS
TAX MAP PARCELS 527 (A) 84 AND 527 (A) 103 AND
THE BOUNDARY LINE VACATION OF COUNTY COURTHOUSE PROPERTY
IDENTIFIED AS TAX MAP PARCELS 527 (A) 85, 527 (A) 86, 527 (A) 87,
527 (A) 88, 527 (A) 89, 527 (A) 90, 527 (A) 91, 527 (A) 95, 527 (A) 96, 527 (A) 97,
527 (A) 98 AND 527 (A) 104

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The County of Montgomery, Virginia owns 4.527 acres of property located in the Town of Christiansburg, Virginia commonly referred to as “the Courthouse Property”; and

WHEREAS, The Courthouse Property currently consists of fourteen (14) different tax map parcels; and

WHEREAS, As part of the new Courthouse construction project the County of Montgomery, Virginia desires to vacate the numerous boundary lines and reduce the number of tax map parcels making up the Courthouse Property to two (2) parcels; and

WHEREAS, The County of Montgomery, Virginia desires to vacate tax map parcels 527 (A) 85, 527 (A) 86, 527 (A) 87, 527 (A) 88, 527 (A) 89, 527 (A) 90, 527 (A) 91, 527 (A) 95, 527 (A) 96, 527 (A) 97, 527 (A) 98 and make this property part of tax map parcel 527 (A) 84 and to vacate tax map parcel 527 (A) 104 and make this property part of tax map parcel 527 (A) 103 all as shown more particularly on the attached plat entitled “Plat of Boundary Line Adjustment of Tax Map Parcels 527 (A) 84 and 527 (A) 103 and Boundary Line Vacation of Tax Map Parcels 527 (A) 85, 527 (A) 86, 527 (A) 87, 527 (A) 88, 527 (A) 89, 527 (A) 90, 527 (A) 91, 527 (A) 95, 527 (A) 96, 527 (A) 97, 527 (A) 98 and 527 (A) 104 for the Board of Supervisors of the County of Montgomery, Virginia” (hereinafter referred to as the “Boundary Line Adjustment and Vacation Plat for Courthouse Property”).

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board hereby authorizes the recording of the Boundary Line Adjustment and Vacation Plat for Courthouse Property vacating parcels 527 (A) 85, 527 (A) 86, 527 (A) 87, 527 (A) 88, 527 (A) 89, 527 (A) 90, 527 (A) 91, 527 (A) 95, 527 (A) 96, 527 (A) 97, 527 (A) 98 to make those parcels part of tax map parcel 527 (A) 84 and vacate tax map parcel 527 (A) 104 to make that parcel part of tax map parcel 527 (A) 103.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board hereby authorizes Annette Perkins, Chair of the Board of Supervisors, to execute the Boundary Line Adjustment and Vacation Plat for Courthouse Property on behalf of the Board of Supervisors of the County of Montgomery, Virginia.

R-FY-10-71
E-911 NEW STREET NAMES
HALEE DR. AND PEACHTREE HILL

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, There are two unnamed private streets located off Rosemary Road (SR 676) in Christiansburg; and

WHEREAS, The County has been made aware that these unnamed streets have six active residences on it; and

WHEREAS, In accordance with the County's Street Naming Policy, the County may initiate street names for any unnamed roads that have six or more residences on it; and

WHEREAS, It is being requested to use the name Halee Dr. and Peachtree Hill for two unnamed private streets located off Rosemary Road (SR 676).

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that after duly considering said request, the Board hereby approves the use of the names Halee Dr. and Peachtree Hill for two unnamed private streets located off Rosemary Road (SR 676).

R-FY-10-72
ALCOHOL SAFETY ACTION PROGRAM
REAPPOINT BRAD FINCH

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Brad Finch** to the **Alcohol Safety Action Program (New River Valley)** effective October 28, 2009 and expiring October 27, 2010

R-FY-10-73
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
APPOINTMENT

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends that the Virginia Emergency Response Council appoint the following individual to the Joint Blacksburg/Montgomery County Local Emergency Planning Committee (LEPC):

Michael J. Mulhare, P.E., Director
Office of Emergency Management
Virginia Tech
248 Burrus Hall (0195)
Blacksburg, VA 24061
Tel: 540-231-2438 (w)

Said appointment is a new appointment in the category of Representatives of Law Enforcement, Civil Defense, Firefighting, First Aid, Health, Local Environmental, Hospital and Transportation Personnel.

NEW BUSINESS

R-FY-10-74 MONTGOMERY COUNTY'S LEGISLATIVE PRIORITIES FOR 2010

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby adopts their 2010 legislative priorities which include:

- ***Regional 911 Emergency Communications Authority*** Montgomery County requests legislation be adopted to allow the jurisdictions in the New River Valley to create a Regional 911 Emergency Communications Authority.
- ***Rest Areas*** Montgomery County supports reopening the interstate highway rest areas in Montgomery County and the Commonwealth as a whole.
- ***State Budget Cuts*** Montgomery County requests that the General Assembly restore the Compensation Board funding reductions to Montgomery County's constitutional officers. In FY 2010, state cuts of Compensation Board funding to these offices total nearly \$650,000 and represent 11% of the total state funds reduced in one year. These offices cannot absorb these severe reductions and the county cannot continue to restore all the state budget reductions.
- ***Unfunded mandates*** Montgomery County continues to oppose unfunded mandates from the state or federal government. As state revenue is reduced, state mandates should also be reduced in the same proportion.
- ***Income Taxes or Other Revenue Sources to Support Local Services*** Montgomery County supports legislation to distribute a percentage of individual income tax revenues to localities, the authority to levy a local income tax, or be provided with other sources to generate revenue locally.
- ***Equal Taxing Authority*** Montgomery County supports legislation to eliminate the distinction in the taxing authority of Virginia's cities and counties.
- ***Schools.*** Montgomery County supports full funding of Standards of Quality (SOQ) so that a redistribution of existing state aid among jurisdictions does not occur without an increase of state funds.–Montgomery County supports state funding allocated for teacher pay raises based on actual positions, not just positions recognized in the SOQ. Montgomery County supports “cost for competing Add-on” funding for all Virginia School Districts.
- ***Comprehensive Services Act (CSA)*** Montgomery County supports full state funding for 100% of the administrative costs of CSA, state vendor contracts for residential and treatment foster care services paid through CSA and increased state matching share for CSA costs.
- ***Water and Sewer availability fees*** Montgomery County supports legislation that would grant counties the authority to enact water and sewer availability fees, and mandatory water and sewer connection powers.
- ***Voting Machines*** Montgomery County supports full state funding for 100% of the cost of providing optical scan voting machines as required by the General Assembly Section 24.2-626 of the Code of Virginia, as amended.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Gary D. Creed	
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
Annette S. Perkins	

The Board requested that a copy of the County's Legislative Priorities along with a copy of the "Constitutional Officer Comparison-Before and After Cuts" chart be forward to the County's General Assembly representatives. The County is experiencing tremendous reduction in state aid.

COUNTY ADMINISTRATOR'S REPORT

New County Web Page Demonstration – Public Information Officer Ruth Richey highlighted the new County's web redesign. The original website, which was launched in 2001, is in need of an update and redesign. Ms. Richey provided a preview of what the new site will look like and reported the new web page should be launched soon.

BOARD MEMBERS' REPORTS

Supervisor Biggs provided a report on the Library Board meeting where the County Administrator attended. Library usage continues to increase, which is tied to the economic times.

Supervisor Creed asked for an update on the Joinder Study. The County Administrator reported there are no new updates since the last meeting. He is in constant contact with all the representatives on the committee.

Supervisor Perkins at the last Economic Development Alliance meeting, Michael St. Jean, Executive Director of the Virginia Tech/Montgomery Regional Airport Authority, provided an overview of the Airport Authority's master plan. Supervisor Perkins suggested that Mr. St. Jean be invited to a future meeting to present this Master Plan to the Board of Supervisors

New River Valley Planning District Commission's annual meeting was held October 22, 2009. The speaker for the event was Virginia Tech University Architect Scott Hurst, who presented the Master Plan for Virginia Tech. Supervisor Perkins believes that future growth at Virginia Tech affects the County and services they provide. She also stated it would be a good idea to invite Virginia Tech to present their master plan to the Board of Supervisors.

ADJOURNMENT

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously, the Board adjourned to Thursday, November 12, 2009 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Annette S. Perkins	

The meeting adjourned at 8:50 p.m.

APPROVED: _____	ATTEST: _____
Annette S. Perkins Chair, Board of Supervisors	F. Craig Meadows County Administrator